

Daniel v. City of Chicago Darmika Daniel
Real-Time Reporters, Inc.

3/26/2010

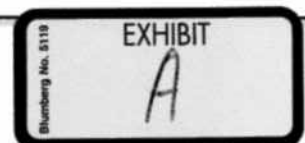
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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DARMIKA DANIEL, DERRICK)
DANIEL, as father and next)
best friend of D.D. and)
D.D., JR., minors,)
) No. 09 C 4914
Plaintiffs,)
)
vs.)
)
CITY OF CHICAGO, et al.,)
)
Defendants.)

The deposition of DARMIKA NIKIYA DANIEL,
taken in the above-entitled cause, before Angela M.
Ingham, a Notary Public within and for the County
of Cook and State of Illinois, and a Certified
Shorthand Reporter of said state, taken pursuant to
the Federal Rules of Civil Procedure for the United
States District Court, at 111 West Washington
Street, Chicago, Illinois, on the 26th day of
March, 2010, at the hour of 1:30 p.m.

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1 A. I began to record what was going on.

2 Q. And how did you record what was going on?

3 A. With my cell phone.

4 Q. Where was your cell phone?

5 A. My cell phone was in my hand.

6 Q. So you got out of the car; you had the car
7 door open; you had your cell phone in your hand
8 also?

9 A. Yes, I did.

10 Q. What hand did you have your cell phone in?

11 A. In my right hand.

12 Q. And were you able to record anything?

13 A. Yes, I was.

14 Q. And when you said you were trying to
15 record what was going on, what exactly were you
16 trying to record?

17 A. The conversation with myself and the
18 officers as well as the search that they were doing
19 with my brothers -- or with Derrick and Delorean
20 Daniel. I do apologize.

21 Q. So when you arrived on the scene and got
22 out of the car and received the attention of the
23 officers, were they still searching?

24 A. Yes, they were.

1 Q. Who was still searching?

2 A. Both officers each had one of the
3 plaintiffs.

4 Q. So when police officer 2 came to speak
5 with you, was police officer 1 still searching one
6 of either Derrick or Delorean?

7 A. Police officer 1 was still by their car.
8 Because police officer 2 and myself were speaking
9 to each other, I can't necessarily say if he was
10 still conducting a search.

11 Q. Okay. So you said you and police officer
12 2 were speaking with each other. Were you all
13 speaking to each other calmly?

14 A. No. I was calm at first because I wanted
15 to get an understanding of what was going on.
16 Police officer 2 was very aggressive. As he spoke
17 to me, he spat in my face; and I asked him not to
18 do so. In the end, the mood of the conversation
19 did change. It did become, you know, with both of
20 us being aggressive towards one another.

21 Q. Okay. So he walked up to you?

22 A. To my vehicle.

23 Q. To your vehicle. He began, as you said,
24 allegedly yelling and yelling profanities toward